

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND  
FISHERIES AND WILDLIFE  
IN OPPOSITION TO L.D. 373**

**“An Act To Allow a Moose Permit To Be Transferred to a Family Member”**

**SPONSORED BY: Senator Miramant of Knox.**

**CO-SPONSORED BY: Senator Davis of Piscataquis  
Senator Valentino of York  
Representative Evangelos of Friendship  
Representative Crafts of Lisbon  
Representative Grant of Gardiner  
Representative Jorgensen of Portland  
Representative Pierce of Dresden.**

**DATE OF HEARING: March 17, 2015**

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Bill Swan, Director of Licensing and Registration at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 373**.

At first glance, the idea of a moose permit winner being able to transfer their permit to a family member sounds like a great idea. However, there are several reasons why the Department is not in favor of this proposed legislation. The most common complaint that the Department receives related to the moose lottery is from long term applicants who say that they have been applying for years and have never won a permit, while another family seems to get a permit every year.

In recent years, the Legislature has made several changes to the moose lottery which has dramatically improved the odds of a long term applicant winning a permit. This proposed legislation would set us back in this area. The legislation proposes that the person winning the permit and transferring the permit to a family member would retain their bonus points and would be eligible to win another moose permit the following year. In turn this reduces the chances of a long term applicant, who has never won a permit, to receive one. If the committee decides to move forward with this legislation, the Department would propose that the person winning the permit, lose all bonus points and

be ineligible to win another permit for 3 years. This is currently the case for all other permit winners.

Under current lottery rules, if a permit winner decides that they want to give up the permit for any reason, the permit is then offered to an alternate who was also picked during the lottery. It is highly probable that an alternate is a long term applicant who has not won a permit previously. By allowing the transfer of permits to family members, there will be fewer permits given to alternates and consequently fewer long term applicants will receive a moose permit. Some of the family members having a moose permit transferred to them may never have even applied for a moose permit before. We would also like to point out that under current law a permit winner who cannot go on the moose hunt because of a medical or military service reason can elect to have their permit deferred to the next year's hunt.

Another concern that the Department has with the proposed legislation is that it allows the permit to be transferred to a family member up until 30 days prior to the moose hunt. Currently, the names of all moose permit winners are sent over to DHHS to make sure that there are no winners who are behind on their child support payments. We recommend that no moose permit winner who is deemed ineligible by DHHS be allowed to transfer their moose permit to a family member until DHHS approves. In addition, the family member to whom the permit is transferred would also need to be cleared by DHHS before the permit could be transferred to them. To ensure there is time for all of this to be done properly, the Department recommends that the transfer be complete 60 days prior to the moose hunt.

Finally the Department is concerned with the definition of a "family member". There are several questions revolving around the current definition that need to be answered. For example, does child extend to a stepchild? What about in the case of a divorce? What about grandchildren? In many cases, it would be a significant amount of work for the Department to verify that the person, to whom the permit was being transferred, met the legal definition of a family member. If the honor system is employed there will certainly be abuse of this new privilege and subsequently lead to complaints which Warden Service will have to investigate.

This proposed legislation sounds like a simple family share provision. Unfortunately, like many things, it is not that simple nor is it fair to long term moose applicants outside of the winner's family.

I would be glad to answer any questions at this time or during the work session.